



ELECTION NEWS

A special informational bulletin
on the conduct of the November 2,
2004 general election

Michigan Department of State - Terri Lynn Land, Secretary of State

Issue No. 5

October 15, 2004

Voters Permitted to Satisfy Citizenship Checkoff Box Requirement on Election Day

The Help America Vote Act (HAVA) stipulates that the following two questions must be added to all voter registration forms with “yes” and “no” checkoff boxes: 1) “Are you a citizen of the United States of America?” and 2) “Will you be 18 years of age on or before Election Day?”

HAVA further stipulates that the following statement must be provided after the questions: “If you checked ‘no’ in response to either of these questions, do not complete this form.” Several important implementation points related to the new checkoff box requirement are detailed below:

- HAVA provides that in an instance where a voter registration applicant fails to answer the citizenship question, the city or township clerk must notify the applicant and provide him or her with an opportunity to complete the form. The voter cannot vote until he or she affirmatively answers the citizenship question. A voter’s failure to respond to the age question does not affect the acceptability of the voter registration application.
- A voter who fails to respond to the citizenship question can satisfy the requirement when attending the polls. To satisfy the requirement the voter can 1) answer the question on a voter registration form 2) submit a written, signed statement affirming that he or she is a citizen of the United States or 3) respond to the citizenship question on the “Application to Vote” form (if your jurisdiction is using the version of the Application to Vote form which contains the citizenship question).
- A voter who fails to respond to the citizenship question who wishes to obtain an absentee ballot must satisfy the requirement before the ballot is released to the voter.
- A new “Verify-Confirm Citizenship” status has been added to the QVF system to assist with the implementation of the new requirement. When used, the new status will appear next to the voter’s name on the QVF list generated for the voter’s precinct.

Acceptability of Voter Registration Applications: A Review

Upon the receipt of a voter registration application, the clerk is required to review the form to determine its acceptability. A voter registration application must contain the following information: 1) applicant’s name and address 2) applicant’s birthdate 3) an affirmative answer to the citizenship question and 4) the applicant’s signature on the qualification certificate, i.e., the statement where the voter attests that he or she has all of the necessary qualifications to register to vote. The following procedures must be followed in any instance where a voter registration applicant fails to provide an essential item of information:

- If the registration application does not bear the applicant's signature, the clerk must attempt to contact the applicant to obtain his or her signature. A voter who fails to supply the needed signature by the "close of registration" for the election is ineligible to participate in the election. (Exception: An unsigned Branch Office Voter Registration Application form received from a voter who 1) moved into your city or township and 2) was registered to vote in his or her previous city or township of residence can be accepted as a valid voter registration. Such registration application forms can be accepted as valid both in instances where the "Decline to Sign" box which appears on the form has been marked and in instances where the "Decline to Sign" box has not been marked.)
- If the registration application does not bear the applicant's full address or birthdate, the clerk must attempt to contact the applicant to obtain the required information. A voter who fails to supply a needed birthdate or address by the "close of registration" for the election is ineligible to participate in the election.
- If the voter has not responded to the citizenship question, the clerk must attempt to contact the applicant to obtain a response to the question. A voter who fails to supply an affirmative response to the citizenship question can satisfy the requirement when attending the polls. (See previous article for further information on this allowance.)

The following informational entries on the form are either optional or nonessential to the application's validity:

- Age question
- Driver license or state personal identification number
- Information on last place of registration
- Sex
- Birthplace
- School district
- County (assuming that the clerk is able to verify applicant's residence from stated address)
- Jurisdiction of residence (assuming that the clerk is able to verify applicant's residence in jurisdiction from stated address)
- Phone number
- Any requested signature other than the signature requested on the qualification certificate

Declaration of Intent Requirement

- A candidate who wishes to seek an office on the November 2 general election ballot with write-in votes must file a Declaration of Intent with the filing official for the office no later

than 4:00 p.m. on Friday, October 29, 2004. A write-in vote cast for an individual who has *not* filed a Declaration of Intent *does not count* and must not be recorded by the precinct board. Similarly, a write-in vote cast for an individual who filed a Declaration of Intent does not count unless the office for which the write-in vote was cast corresponds to the office identified on the Declaration of Intent. Write-in votes which do not count for the above reasons are *not* considered when determining whether an “overvote” has occurred.

- As an exception to the above, the Declaration of Intent requirement is *waived* if a candidate appearing on the ballot for the office involved dies or is otherwise disqualified on or after Wednesday, October 27, 2004. If the waiver is invoked, all write-in votes cast for the office must be counted including any write-in votes cast for candidates who have not filed a Declaration of Intent.
- The city or township clerk is responsible for notifying the appropriate precinct boards of any Declaration of Intent forms submitted by write-in candidates before the election. The names of the declared write-in candidates and the offices the write-in candidates seek must be delivered to the precinct boards no later than the close of the polls.
- It merits observation that a write-in candidate who seeks a partisan office at a general election cannot claim a party affiliation as the political parties have already identified their nominees for the partisan offices appearing on the ballot. If a write-in candidate who files a Declaration of Intent for the November 2 general election claims a political party affiliation on the form, the party affiliation is ignored; a political party affiliation entered on a Declaration of Intent form filed for a general election does *not* invalidate the form.

Write-In Votes: Important Reminders

- It is important that *all* precinct boards understand the procedures for recording and tallying write-in votes. This is especially true in optical scan and punch card precincts where the duplication of ballots (punch card precincts) and the correction of tabulator tapes (optical scan precincts) is sometimes necessary. A summary of the special handling procedures associated with optical scan and punch card ballots which contain write-in votes is provided with this newsletter.
- When processing voters, a member of the precinct board must offer to give instruction on *all* aspects of the voting process *including the procedure for casting write-in votes*. If a voter states that he or she wishes to only receive instruction on the procedure for casting a write-in vote, the precinct board member handling this task may limit the instruction to the write-in process; otherwise, instruction on *all* aspects of the voting process must be offered to avoid any appearance that the precinct board is promoting write-in candidates.
- If a voter asks for information on the write-in candidates who are seeking the offices on the ballot, the precinct board must advise the voter to contact the clerk. *The precinct board is not permitted to provide the names of write-in candidates while processing voters or display the names of the write-in candidates inside the polling place.*
- Write-in votes which show name variations and spellings which do not match the Declaration

of Intent form are *acceptable*. It merits note that it is the precinct board's responsibility to record all valid write-in votes *exactly as they were cast* preserving any name variations and/or misspellings which may appear.

Example: John A. Smith - State Representative - 16 votes.
John Smith - State Representative - 2 votes.
J.A. Smith - State Representative - 1 vote.
J. Smith - State Representative - 1 vote.

- It is the Board of County Canvassers' responsibility to review all write-in votes and determine how they are to be counted. When performing this duty, the Board may accept variations in the spelling of a write-in candidate's name.
- If a voter casts a write-in vote for a candidate seeking election to a partisan office at a general election and indicates a party affiliation for the write-in candidate, the party affiliation is ignored.

Posting Absentee Voting Information

Michigan election law, MCL 168.765(5) as amended under PA 207 of 1996, requires all city and township clerks to comply with the following posting requirements:

- The clerk must post before 8:00 a.m. on election day: 1) the number of absent voter ballots distributed to absent voters 2) the number of absent voter ballots returned before election day and 3) the number of absent voter ballots delivered for processing.
- The clerk must post before 9:00 p.m. on election day: 1) the number of absent voter ballots returned on election day 2) the number of absent voter ballots returned on election day which were delivered for processing 3) the total number of absent voter ballots returned both before and on election day and 4) the total number of absent voter ballots returned both before and on election day which were delivered for processing.
- The clerk must post immediately after all precinct returns are complete: 1) the total number of absent voter ballots returned by voters and 2) the total number of absent voter ballots received for processing.

A form which can be used to post the information specified above is provided with this newsletter for your convenience.

The Establishment and Use of "Absent Voter Counting Boards"

An "absent voter counting board" is a precinct that is established by the election commission for the purpose of processing and counting absent voter ballots.

Instructions for the establishment and operation of absent voter counting boards are provided with this newsletter. Please feel free to duplicate and distribute the instructions as needed in your jurisdiction.

The Establishment and Use of “Receiving Boards” in Optical Scan Jurisdictions

PA 256 of 2004 provides that the legislative body of a city or township that employs a “precinct based” tabulation process (including a “precinct based” optical scan tabulation process) may, by resolution, approve the establishment of one or more “receiving boards” to administer any upcoming election scheduled in the jurisdiction.

Appointment process: If the establishment of one or more “receiving boards” is approved by the jurisdiction’s legislative body, the local election commission must appoint at least two election inspectors to each board. When making the appointments, the election commission must appoint an equal number of election inspectors from each of the two major political parties in the state.

Delivery of materials to receiving boards: At the close of the polls, two election inspectors representing each of the two major political parties are required to deliver to the appropriate receiving board the precinct’s sealed ballot container containing the voted ballots and, in a separate sealed envelope, the poll book and statement of returns.

Receiving board procedures: Upon the delivery of the ballot container, poll book and statement of returns, the receiving board is authorized to take the following actions:

- 1) Check to confirm that the ballot container is properly sealed and that the seal number is properly recorded in the poll book and on the statement of returns. If the ballot container is not properly sealed or the seal number is not properly recorded in the poll book or on the statement of returns, the election inspectors and the members of the receiving board may take the necessary actions to correct the discrepancy. If the correction of a discrepancy is necessary, the election inspectors and the members of the receiving board must note the discrepancy and the actions taken to correct the matter in the remarks section of the poll book. The notation must be signed by the election inspectors and the members of the receiving board.
- 2) Check to confirm that the number of names entered in the poll book balances with the number of ballots counted in the precinct as shown on the statement of returns. If the number of names entered in the poll book does not balance with the number of ballots counted in the precinct and a satisfactory explanation has not been entered in the poll book, the receiving board must question the election inspectors on the discrepancy. After questioning the election inspectors, the members of the receiving board must note the explanation provided by the election inspectors in the remarks section of the poll book. The notation must be signed by the election inspectors and the members of the receiving board.

After completing the above checks, the members of the receiving board must replace the poll book and statement of returns in the delivery envelope, seal the envelope with a red paper seal and initial the seal. If permitted by the clerk of the board of canvassers responsible for canvassing the election, the poll books and statement of returns for multiple precincts may be included in a single delivery envelope.

Actions receiving board can take if poll book or statement of returns is sealed in ballot container: If, upon the receiving board's receipt of a ballot container, it is determined that the poll book or statement of returns has been sealed in the ballot container, the election inspectors may open the ballot container to remove the poll book or statement of returns under the receiving board's supervision. In such an instance, the election inspectors and the members of the receiving board must note the actions taken to correct the matter in the remarks section of the poll book. The notation must be signed by the election inspectors and the members of the receiving board. After removing the poll book or statement of returns from the ballot container, the election inspectors must reseal the ballot container and record the new seal number in the poll book and on the statement of returns.

Important Reminders

County political party chairperson notification requirement: No later than two business days following the appointment of election inspectors for an election scheduled to nominate or elect candidates to a federal or state office, the election commission is required to notify the county chair of each major political party of the "names and political party affiliations of appointed election inspectors and the precincts to which those inspectors were appointed." The notification must be made by "certified mail, personal service or electronic transmission capable of determining date of receipt." Do not forget to comply with this important requirement after your election commission completes its election inspector appointments for the November 2 general election!

Submission of ID and residence verification documents during 6-day "envelope" ballot evaluation period permitted: As detailed in the last issue of *Election News*, a voter who is issued an "envelope" ballot because he or she was unable to satisfy 1) the identification requirement and/or residence verification requirement detailed in the Four-Step Procedure form or 2) the federal identification requirement imposed on first-time mail registrants who have never previously voted in Michigan can satisfy the requirements during the 6-day "envelope" ballot evaluation period. It is extremely important that you familiarize yourself with this important allowance and plan for its implementation! The careful administration of the allowance is critical as every effort must be made to maximize the number of "envelope" ballots that can be counted.

Requesting an absentee ballot in person satisfies "voting in person" requirement: A voter who 1) registered by mail 2) is subject to the "voting in person" requirement and 3) needs an absentee ballot can satisfy the "voting in person" requirement by requesting an absentee ballot in person from the clerk of his or her city or township of residence anytime through November 1, 2004.



INSTRUCTIONS FOR THE CONDUCT OF ABSENT VOTER COUNTING BOARDS

**Michigan Department of State
Bureau of Elections
October, 2004**

INTRODUCTION

Definition

An absent voter counting board is a precinct that is established by the election commission of a city, township, village or school district for the purpose of processing and counting absent voter ballots.

Employment of Absent Voter Counting Boards

The employment of absent voter counting boards by jurisdictions having more than two voting machine precincts and less than 500,000 in population is mandatory under the law. The employment of absent voter counting boards is optional in all other jurisdictions. (MCL 168.792a(1))

Establishment of Absent Voter Counting Boards

The decision to establish an absent voter counting board, where not required by law, is made by the local election commission no later than the 10th day preceding the election. The maximum number of boards that may be established is also determined by this deadline. If more than one counting board is to be established, the commission must determine the maximum number of ballots that may be processed and counted by each board. In making this decision, consideration is given to the size and complexity of the ballot.

The commission must appoint a minimum of three inspectors to each counting board. Appointments must be made by the 10th day preceding the election under the same procedures established for the appointment of the precinct inspectors who will serve in the polls. The commission is also responsible for providing a suitable place where the counting board will meet to process and count ballots. Such locations are called an “absent voters’ counting place.” More than one absent voter counting board may be located in the same building or room.

The commission is required to establish the time that the inspectors must report for duty. The work of the board may begin as early as 7:00 a.m., however, a counting place is not permitted to close until 8:00 p.m.

By the second day preceding the election, the clerk is required to determine the number of counting boards that will be needed (up to the maximum number authorized by the election commission) and the number of ballot containers to be used. If traditional paper ballots will be counted, one ballot bag must be provided for each ballot container that will be used to secure the ballots once all processing and counting is completed after 8:00 p.m.. The clerk is responsible for providing the absent voter counting board with all necessary supplies. (MCL 168.792a(1) - (5))

Oath Required

An election inspector appointed to a counting board, a challenger, or any other person in attendance at a counting place at any time after the processing of ballots has begun must take and sign the following oath:

“I (name of person taking oath) do solemnly swear (or affirm) that I shall not communicate in any way any information relative to the processing or tallying of votes that may come to me while in this counting place until after the polls are closed.”

The completed oaths are delivered to the clerk in an envelope which has been sealed with a red state seal. (MCL 168.792a(10) - (11))

Prohibition

A person in attendance at a counting place after the counting has begun is not permitted to leave the counting place until the polls close at 8:00 p.m. A person who discloses an election result or in any manner characterizes how any ballots being counted have been voted before 8:00 p.m. is guilty of a felony. (MCL 168.792a(11))

As an *exception* to the above, a local election official who established the counting board, a deputy or employee of the local election official, or an employee of the State Bureau of Elections may enter and leave a counting place after the counting has begun but before the polls close. Such persons may enter a counting place only for the purpose of responding to an inquiry from an election inspector or a challenger or to provide instructions on the operation of the counting board. (MCL 168.792a(16))

Cell Phones Not Permitted in Absent Voter Counting Boards

Election inspectors appointed to serve in absent voter counting boards may not use or be in possession of a cellular phone during the sequestration period. The same policy applies to any challengers or polls watchers appointed to observe absent voter counting boards. The enforcement of this policy is critical to the integrity of the absent voter counting board process.

The work performed by a counting board is divided into two separate tasks, 1) **processing** absent voter ballots and absent voter ballot applications, and 2) **counting** or **tallying** the vote. While the procedures followed during processing are basically the same regardless of the type of ballot or voting system used by the jurisdiction, the procedures involved in counting the votes will vary with the voting equipment used.

Processing

All valid ballots received by the clerk prior to election day will be delivered to the absent voter counting board upon the commencement of the board's work along with the corresponding absent voter ballot applications. Absent voter ballot applications for ballots which have not been returned by voters are retained by the clerk and are not delivered to the counting board. The processing of absent voter ballots is divided into three steps as explained below.

While the processing steps may be tailored to meet administrative preferences, care must be taken to assure that the security measures built into the procedures are not compromised in any way.

STEP 1 Materials: absent voter ballot applications and return envelopes.

- Verify that the clerks' record area of the return envelope was completed and that the return envelope was signed and dated by the voter. If the clerks' record area of the return envelope is incomplete, return the unopened envelope and the corresponding absent voter ballot application to the clerk for immediate correction. If the return envelope was not signed by the voter, return the unopened envelope and corresponding absent voter ballot application to the clerk for review. *Note: It is not necessary to return the envelope and corresponding absent voter ballot application to the clerk if the date is missing in the voter signature area of the return envelope; if such omission is found, continue processing.* A ballot returned to the clerk which does not bear the voter's signature will be resubmitted to the counting board if the clerk is able to obtain the missing signature prior to 8:00 p.m.
- Check the return envelope to determine if the voter received assistance in voting the ballot. If a notation indicating that assistance was provided appears on the envelope, check the "remarks" page of the poll book to ensure that the assistance was noted by the clerk. If necessary, note that assistance was provided to the voter on the "remarks" page in the poll book. The note should include the name of the voter and the name of the individual who provided the assistance. Open the return envelope and continuing processing.

STEP 2 Materials: opened return envelope and Absent Voter Poll Book or "List of Absent Voters To Whom Ballots Were Mailed."

- Without exposing any votes, verify that the number on the ballot stub agrees with the ballot number recorded for the voter in the poll book or on the list. *If the ballot was returned in a secrecy envelope, the ballot and secrecy envelope may be removed from the return envelope to make the comparison. If the ballot was not returned in a secrecy envelope, first verify that the ballot was folded by the voter so that the votes are concealed before removing the ballot from the return envelope to make the comparison.* If the ballot numbers do **not** agree, and no

explanation for the discrepancy can be found (e.g., voters residing in the same household have switched their ballots), the ballot must be processed as a “challenged ballot.” (See “Challenge Procedure” below.) If the ballot numbers agree, continue processing.

Special Conditions: If a ballot was not returned by the voter (the return envelope or secrecy envelope is empty), or if during the processing of traditional paper ballots it is determined that the voter did not return the complete set of ballots (e.g., the voter returned the partisan ballot but not the nonpartisan ballot), note the missing ballot(s) on the “remarks” page in the poll book. In making this notation, **do not** include the name of the voter involved. If the ballot was not returned in a secrecy envelope, without exposing any votes, place the ballot in a secrecy envelope provided by the clerk for this purpose. If the ballot does not require a secrecy envelope but is not folded so that votes are concealed, without exposing any votes, properly refold the ballot(s).

- Mark or highlight the name of the voter in the poll book or on the list and continue processing. Set the return envelope aside for later delivery to the clerk.

STEP 3 Materials: secrecy envelope with ballot enclosed or ballot(s) folded with votes concealed.

- Remove the numbered ballot stub(s). Once removed from the ballot(s) the stub(s) may be discarded or retained for audit purposes at the discretion of the counting board. Deposit the secrecy envelope containing the ballot or the folded ballot(s) into a locked ballot container (if one was provided) or otherwise secure the ballot for counting or tallying. *Do not remove the voted ballot from the secrecy envelope or unfold the ballot(s) at this time.*

MAINTAINING BALLOT SECRECY

To ensure the secrecy of all votes cast, it is recommended that the processing of several return envelopes and applications be delayed until after 8:00 p.m. This will allow a ballot that is received by the clerk just prior to 8:00 p.m. to be intermingled by the counting board with other ballots during processing and counting. This will, in effect, preserve the secrecy of the last ballot delivered to the counting board for processing and counting.

BALLOTS RECEIVED AFTER PROCESSING BEGINS

All valid absent voter ballots received by the clerk through 8:00 p.m. on election day will be delivered to the counting board with the corresponding absent voter ballot applications immediately upon receipt. It is the responsibility of the counting board to record the date of return in the poll book or on the list for each additional absent voter ballot received by the clerk and delivered to the board on election day.

EMERGENCY REQUESTS

In emergency situations only, a voter may apply for an absent voter ballot as late as 4:00 p.m. on election day. If an emergency application is received by the clerk, the counting board will be instructed to make the necessary entries in the poll book or on the list that would otherwise be completed by the clerk. Once the necessary entries are made, the application must be returned to the clerk to await the return of the ballot. If the requested ballot is voted and returned to the clerk by 8:00 p.m., the clerk will record the date of the return on the corresponding application and deliver both the return envelope and completed application to the counting board; the counting board must then record the date of return in the poll book or list.

CHALLENGE PROCEDURE

If an absentee ballot being processed in the counting board is challenged, the ballot is identified as described below:

- Write the word “CHALLENGED” across the face of the ballot return envelope.
- Write the number appearing on the voter’s ballot in pencil on the back of the ballot. If a punch card ballot is used, write the number appearing on the voter’s ballot in pencil on the secrecy envelope.
- Conceal the number with a slip of paper. The use of transparent tape and paper that matches the color of the ballot (or secrecy envelope if a punch card ballot is used) is recommended.
- Make a notation of the challenge in the poll book on the page labeled “Challenged Voters.” The notation must include the time that the challenge was made, the name of the challenger, the name of the challenged voter, the voter’s address and telephone number, and the reason for the challenge.

RIGHTS OF CHALLENGERS

Election challengers may be appointed by political parties and qualified interest groups to observe absent voter counting boards. (Each political party and qualified interest group is permitted to appoint one challenger per absent voter counting board.) A challenger serving in an absent voters’ counting place has the right to challenge an absent voter ballot if the challenger has reason to believe that the person who voted the ballot is not qualified to vote. A challenger has the right to challenge the actions of the board members operating the counting place if the challenger believes that election law is not being followed. An official challenger:

- Must represent a recognized political party or an interest group which is authorized to appoint election challengers at the election.
- May observe all procedures being carried out.
- May bring to the board’s attention the improper handling of a ballot by a board member.
- May inspect the absent voter ballot applications, poll books, or any other materials used by

the board. (When exercising this right, challengers may **not** touch the materials.)

- May inspect the ballots as they are being counted. (When exercising this right, challengers may **not** touch the ballots.)
- May keep notes on the board's actions.

Credentials: A challenger must have in his or her possession a “challenger card” issued by the party or organization he or she represents. Upon entering the counting place, the challenger must show the card to the chairperson of the board. It is recommended that a challenger also wear a badge which bears the words “ELECTION CHALLENGER.”

Conduct: Challengers must conduct themselves in an orderly manner at all times. A challenger can be expelled from the counting place for unnecessarily obstructing or delaying the work of the board; touching ballots, election materials or tabulation equipment; or acting in a disorderly manner.

Restriction: A candidate for any elective office in the election may not serve as a challenger. **EXCEPTION:** At an August primary, a candidate for county convention delegate may serve as a challenger in an absent voter counting board other than the board responsible for processing or counting the ballots cast in her or her precinct.

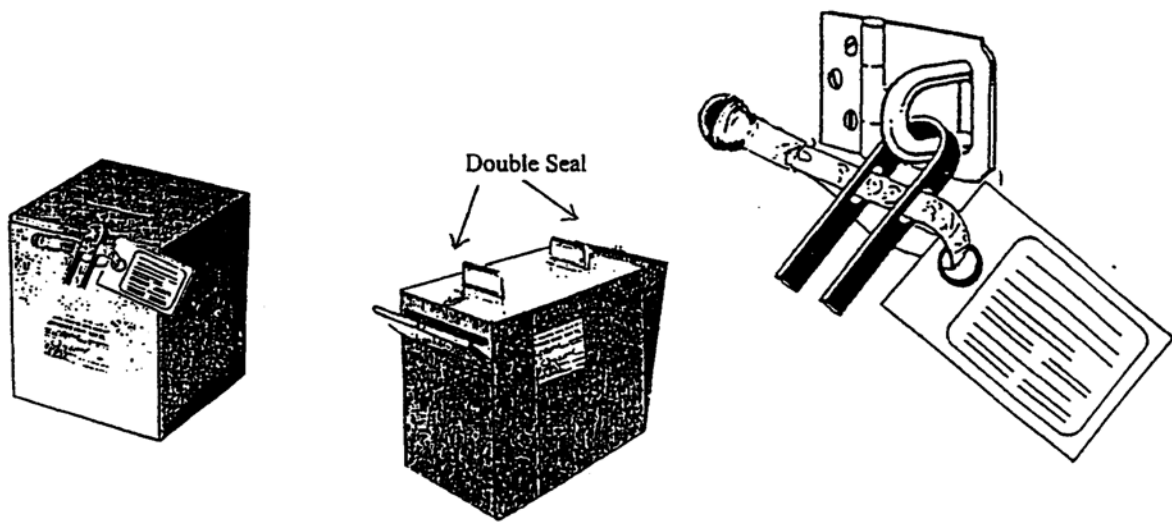
PROCESSING CHALLENGED BALLOTS

In a city, township, village or school district where challenged voters are required to vote on absent voter ballots, each challenged ballot and corresponding application for the ballot, after having been voted and properly identified, is placed by the voter in an absent voter ballot return envelope. The back of the return envelope is completed by an election inspector, signed by the challenged voter and by the chairperson of the precinct involved and the word “challenged” is written across the front of the envelope. In jurisdictions in which a counting board is used, the application and return envelope are delivered to the counting board for processing; otherwise, such ballots are processed in the same manner as other absent voter ballots.

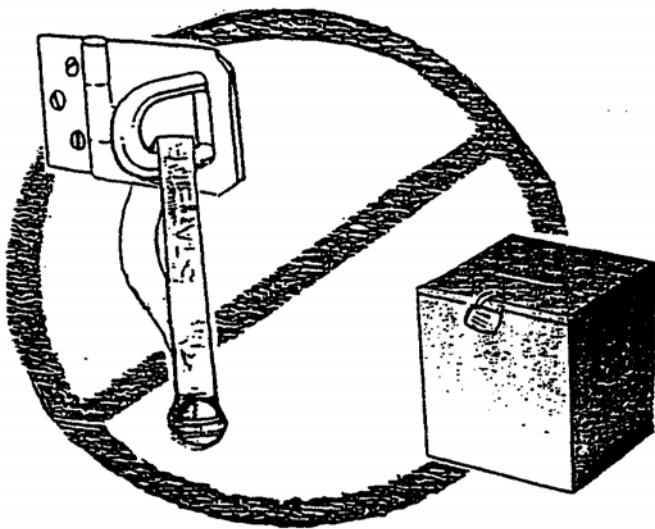
BALLOT SECURITY

All ballots counted must be placed under proper security. Under the Rules for Electronic Voting Systems all ballots that are electronically counted must be sealed in an approved ballot container where they will remain for 30 days after the official canvass and certification of the election results. Under Michigan election law traditional paper ballots that have been hand counted or counted on mechanical voting machines must be sealed in an official ballot bag which is then sealed into an approved ballot container where they will remain for 10 days after the official canvass and certification of the election results. The security period is extended if a recount is in progress, a defect in the ballot or ballot count programming or equipment is being investigated, if ordered by the court, or if prescribed by the Secretary of State. The following illustrations show the correct and incorrect way to seal a ballot container.

CORRECT Way to Seal a Ballot Container



INCORRECT Way to Seal a Ballot Container



BALLOT SECURITY VERIFICATION PROCEDURE

A board member sealing a ballot bag or approved ballot container must certify in writing that the item is properly sealed; a board member who is affiliated with the opposite political party must then verify that the item is properly sealed and certify the verification in writing. Both certifications are made in the poll book, statement of votes, ballot bag certificate (attached to the outside of the ballot bag), and ballot container certificate (attached to the outside of the ballot container). (MCL 168.806a(a) - (c))

<p>ABSENTEE BALLOTS</p> <p>-- INFORMATION POSTING --</p>
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DATE OF ELECTION: _____

Complete and post before 8:00 a.m. on election day.

Number of absent voter ballots distributed to absent voters: _____

Number of absent voter ballots returned before election day: _____

Number of absent voter ballots delivered for processing: _____

Complete and post before 9:00 p.m. on election day.

Number of absent voter ballots returned on election day: _____

Number of absent voter ballots returned both before and
on election day: _____

Number of absent voter ballots returned both before and
on election day which were delivered for processing: _____

Complete and post immediately after all precinct returns are delivered.

Number of absent voter ballots returned by voters: _____

Number of absent voter ballots received at the precincts
or absent voter counting board(s) for processing: _____

October 15, 2004

**General Election Ballots Which Contain Write-In Votes:
Special Handling Procedures in Optical Scan and Punch Card Precincts**

Note: Procedures do not apply to PBC-2100 punch card voting systems.

STEP ONE: Determine if write-in vote is “valid” or “invalid.”

Valid write-in: Write-in vote cast for a candidate who has filed a “Declaration of Intent” form. Office for which write-in vote is cast corresponds with office identified on candidate’s “Declaration of Intent” form. Write-in does not create “overvote” in office.

Invalid write-in: Any of the following: 1) write-in vote is cast for an individual who has *not* filed a “Declaration of Intent” form 2) write-in vote is cast for an individual who has filed a “Declaration of Intent” form but office does not correspond to office listed on form or 3) write-in vote is otherwise valid but creates “overvote” in office.

STEP TWO: Record write-in if necessary on write-in page in Poll Book.

Valid write-in: Record write-in exactly as cast preserving any name misspellings, abbreviations or other irregularities.

Invalid write-in: Do not record write-in vote as it cannot be recognized.

STEP THREE: Correct tabulator tape (optical scan ballot) or duplicate the ballot (punch card) as necessary.

Optical Scan Ballots

Valid write-in: Tabulator tape correction not necessary.

Invalid write-in: Tabulator tape correction necessary if 1) voter cast a straight party vote and an invalid write-in was cast for a partisan office or 2) voter cast a vote for another candidate seeking the same office which was canceled by an invalid write-in due to tabulator reading a false “overvote.” (To correct tabulator tape, precinct inspectors add vote which should have counted for candidate on ballot to tape by hand.)

Punch Card Ballots

Valid write-in: If voter cast a straight party vote and a valid write-in was cast for a partisan office, create a duplicate ballot which 1) omits the straight party vote 2) contains a vote for every partisan candidate under the voter’s party of choice *except* the party nominee appearing on the ballot under the office where the valid write-in vote was cast and 3) contains all other valid votes cast on the ballot for nonpartisan candidates and on proposals.

Write-in creates “overvote”: If write-in creates an “overvote” in office (i.e., otherwise valid write-in added to the vote or votes cast on punch card ballot exceeds the number to be elected to the office) create a duplicate ballot which reflects all votes cast on ballot *except* vote or votes cast for “overvoted” office.

Invalid write-in: No actions are necessary.